

## **VILLAGE OF RUIDOSO**

### **ORDINANCE 2004-16**

#### **AN ORDINANCE AMENDING THE VILLAGE OF RUIDOSO MUNICIPAL CODE OF ORDINANCES, CHAPTER 86, SECTION 32 RELATING TO WATER CONSERVATION**

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY, VILLAGE OF RUIDOSO, NEW MEXICO, THAT CHAPTER 86, SECTION 32, IS HEREBY AMENDED AS FOLLOWS: (deleted material is stricken and new material is underlined).**

The Village of Ruidoso Water Conservation procedures will be classified into five (5) Phases based upon a variety of conditions or triggers, defined at the end of this Section. The Phases of conservation and the measures to be taken are based upon reservoir levels, well pumping capacities, and the level of treated water in storage in the two (2) five million (5,000,000) gallon tanks on Alto Crest. Snow pack conditions and water rights accounting will also be considering during drought conditions to determine the appropriate phase of water conservation. In emergency situations such as forest fires and mechanical system failure, the governing body and Village management may impose any restriction on the use of water to protect public health, safety and welfare or to preserve the public water supply.

**(a) *Applicability.*** The provisions of the section do not apply to the individual re-use of gray water or captured rain water.

(1) All customers of metered water sold and supplied by the Village.

(2) Any domestic well existing upon the date of the adoption of this Ordinance located within the exterior boundaries of the Village shall be exempt from this section, to the extent such well is used as authorized by NMSA 1978 §3-53-1, et. seq. Said user shall identify the property upon which the well sits by signs placed prominently on said property, with signs to be provided by the Village Water Department. Failure to display said sign shall subject the user to all provisions contained in this section.

**(b) *General.***

(1) The Village shall determine the Village's water conservation phase based on surface water storage, well production, equipment failure or any other condition that may affect the delivery of water.

(2) Public notice of changes in water conservation phase shall be provided to the public at all times.

- (3) The wasting of water is prohibited. The following practices are considered water wasting and shall be punished as provided in this section:
- (a) using treated water for any purpose such that it flows, sprays or is otherwise excessively discharged upon any street, ditch, drain or another property;
  - (b) failing to repair leaks in a system which delivers water within five (5) working days of the discovery of same;
  - (c) watering when wind conditions are such that water being sprinkled blows off the property.

***(c) Phase 1: Normal Conditions.***

No outdoor watering between the hours of 10:00 a.m. and 6:00 p.m.

Customers shall be allowed to wash their vehicles and to water lawns, landscaping, etc., depending upon their street addresses as follows: odd numbered addresses water on odd numbered calendar days and even numbered addresses water on even calendar days. Customers are encouraged to limit said watering to a maximum of two (2) hours per day per area.

Both even and odd addresses may hand water or drip irrigate their plants, flowers and tree wells any day of the week. These customers are encouraged to hand water or drip irrigate a maximum of one (1) hour per day per section to be watered or irrigated.

Plants, flowers and tree wells may be watered by the use of hand held buckets or sprinkler cans that have been filled from hose bibs or interior faucets every day of the week.

Watering the soccer fields pursuant to the lease between the Village of Ruidoso and The Ruidoso Municipal School District is permitted in this phase.

Watering Eagle Creek, North Park, Gavilan Canyon, and White Mountain Fields is permitted in this phase.

***(d) Phase 2: Moderate Conditions.***

No outdoor watering between the hours of 10:00 a.m. and 6:00 p.m.

Customers shall be allowed to wash their vehicles and to water lawns, landscaping, etc. two (2) days per week with sprinklers as follows:

- (1) Even addresses - Tuesday and Saturday

- (2) Odd addresses - Wednesday and Sunday
- (3) Customers are encouraged to limit their watering to two (2) hours daily, per area to be watered.

Both even and odd addresses may hand water or drip irrigate plants, flowers and tree wells any day of the week. Customers using this provision are encouraged to water not more than one (1) hour, per day, per area to be watered.

Plants, flowers and tree wells may be watered by the use of hand held buckets or sprinkler cans that have been filled from hose bibs or interior faucets every day of the week.

Watering the soccer fields pursuant to the lease between the Village of Ruidoso and The Ruidoso Municipal School District is permitted in this phase.

Watering Eagle Creek, North Park, Gavilan Canyon, and White Mountain Fields is permitted in this phase.

***(e) Phase 3: Serious Conditions.***

No outdoor watering between the hours of 10:00 a.m. and 6:00 p.m.

Customers shall be allowed to wash their vehicles and to water lawns, landscaping, etc. one (1) day per week with sprinklers as follows:

- (1) Even addresses on Tuesday
- (2) Odd addresses on Wednesday
- (3) Customers are encouraged to limit their water to two (2) hours daily, per area to be watered.

Both even and odd addresses may hand water or drip irrigate plants, flowers and tree wells any day of the week. Customers using this provision are encouraged to water not more than one (1) hour, per day, per area to be watered.

Plants, flowers and tree wells may be watered by the use of hand held buckets or sprinkler cans that have been filled from hose bibs or interior faucets every day of the week.

Watering the soccer fields pursuant to the lease between the Village of Ruidoso and The Ruidoso Municipal School District is permitted in this phase.

Watering Eagle Creek, North Park, Gavilan Canyon, and White Mountain Fields is permitted in this phase.

***(f) Phase 4: Severe Conditions.***

No outdoor watering between the hours of 10:00 a.m. and 6:00 p.m.

Outdoor watering with sprinkler systems is prohibited.

Commercial car washes are not restricted.

Residential washing of vehicles and outdoor watering two (2) days per week, by hand-held hose or drip irrigation shall be allowed as follows:

- (1) Even addresses - Tuesday and Saturday
- (2) Odd addresses - Wednesday and Sunday

Plants, flowers and tree wells may be watered by the use of hand held buckets or sprinkler cans that have been filled from hose bibs or interior faucets every day of the week.

~~The use of treated water for the operation of ornamental fountains is prohibited.~~

Watering the soccer fields pursuant to the lease between the Village of Ruidoso and The Ruidoso Municipal School District is permitted in this phase.

Watering Eagle Creek, North Park, Gavilan Canyon, and White Mountain Fields is permitted in this phase.

***(g) Phase 5: Extreme Conditions/Declaration of Emergency Situation by Council.***

The use of sprinkler systems, garden hoses and drip irrigation systems is prohibited.

Plants, flowers and tree wells may be watered by the use of hand held buckets or sprinkler cans that have filled from hose bibs or interior faucets every day of the week.

Watering the soccer fields pursuant to the lease between the Village of Ruidoso and The Ruidoso Municipal School District is permitted in this phase.

Watering Eagle Creek, North Park, Gavilan Canyon, and White Mountain Fields is permitted in this phase.

***(h) Triggers for Conservation Phases***

**Phase 1 Normal**      Year around during normal conditions

**Phase 2 Moderate**     3 of 4 conditions below:  
Alto Lake below fire hydrant  
Eagle Creek & Wells under 1500 gpm  
5 Million tanks below 46' for a 24 hour period  
Grindstone Lake 16' below spillway

**Phase 3 Serious:**     2 of 4 conditions below:  
Alto Lake 3' below fire hydrant  
Eagle Creek & Wells under 1200 gpm  
5 Million tanks below 46' for a 24 hour period  
Grindstone Lake 16' below spillway

**Phase 4 Severe:**     2 of 4 conditions below:  
Alto Lake 10' below fire hydrant  
Eagle Creek & Wells under 900 gpm  
5 Million tanks below 46' for a 24 hour period  
Grindstone Lake 20' below spillway

**Phase 5 Extreme:**     Declaration of Emergency Situation by Council

**(I) Miscellaneous.**     It is recommended that:

1.     Eating establishments provide water to their patrons only upon request.
2.     Shut off nozzles be used on hoses for hand watering.
- ~~3.     Potable water from the Village Municipal System should not be used to operate exterior ornamental fountains or similar structures.~~
4.     Future water conservation savings measures will be considered to be implemented in the future, including but not limited to, low flow toilets, water saving faucets, water saving appliances, hot water recirculating systems, gray water usage, gray water harvesting, xeriscaping, drip irrigation system and captured rain water.

**(j) Assessment of Fees**

Any responsible party who violates the provisions of this Ordinance shall be subject to citation. Each day of a violation shall be considered a separate violation. The penalty schedule for violations of this Ordinance are as follows:

- |    |                           |           |
|----|---------------------------|-----------|
| 1. | 1 <sup>st</sup> Violation | \$ 20.00  |
| 2. | 2 <sup>nd</sup> Violation | \$ 50.00  |
| 3. | 3 <sup>rd</sup> Violation | \$ 100.00 |

4. 4<sup>th</sup> & Additional Violations \$ 500.00

***(k) Enforcement Officers***

Authority to enforce this section shall be assigned to, but is not limited to, all police officers, code enforcement officers and meter readers of the Village. Other employees of the Village may be assigned enforcement authority as deemed necessary by the Village Manager.

PASSED, APPROVED AND ADOPTED THIS 9TH DAY OF NOVEMBER, 2004.

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E. Leon Eggleston, Mayor

(SEAL)  
ATTEST:

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Irma Nava, Village Clerk